

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH**

In re: Scott D. Arena

Petition No. 2004-0310-040-001

REINSTATEMENT CONSENT ORDER

WHEREAS, Scott D. Arena, of North Haven (hereinafter "respondent") has been issued license number 000018 to practice as an asbestos inspector/management planner by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400a of the General Statutes of Connecticut, as amended; and

WHEREAS, respondent admits that:

1. On or about July 27, 2001, he pled guilty to mail fraud in violation of Title 18 U.S.C. §§ 1341 and 1342 in connection with a federal investigation into municipal corruption in Bridgeport, CT. In connection with said guilty plea, respondent admitted: (a) that he aided and abetted Paul J. Pinto, Brian Bannon and Individual C in defrauding the City of Bridgeport, CT by adding one thousand dollars (\$1000) to his bill to the City of Bridgeport, CT for each asbestos removal survey he performed; (b) he agreed to kick back one thousand dollars (\$1000) per survey to Individual C, knowing that Individual C would not perform any asbestos removal work; and (c) he further agreed to inflate by twenty percent (20%) the estimate of the amount of asbestos containing materials to be removed from each city owned property and to include the inflated estimates.
2. The conduct described above constitutes grounds for the denial of respondent's application for reinstatement of licensure pursuant to §19a-14(a)6 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-17 and 20-99(a) of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following.:

1. Respondent waives the right to a hearing on the merits of his application for certification.
2. Respondent shall comply with all state and federal statutes and regulations applicable to his license.
3. Respondent shall be required to be in full compliance with and complete all terms of his federal probation.
4. Respondent's license number 000018 to practice as an asbestos inspector/management planner in the State of Connecticut is hereby placed on probation for six (6) months under the following terms and conditions:
 - a) Respondent is required to provide a written summary of all activities performed within the scope of his asbestos inspector/management planner license. The written summary shall be provided to the Division of Environmental Health within seven (7) days of the provision of the consulting service. The employer for the Respondent shall provide a statement attesting to the accuracy of the summary provided. The Department shall reserve the right to request and receive all documentation associated with the provision of the consultation services. Documentation shall be provided to the Department within ten (10) calendar days of receipt of the request for submission of the documentation, unless otherwise approved by the Department.
 - b) Respondent shall provide his employer with a copy of this Consent Order within fifteen (15) days of its effective date or within fifteen (15) days of commencement of employment at a new facility. Respondent agrees to provide reports from such employer on a bi-weekly basis for the entire period of probation, stating that respondent has exhibited professional conduct throughout the reporting periods and is practicing with reasonable skill and safety.
5. During the period of probation, respondent shall report to the Department any arrest under the provisions of Connecticut General Statutes 14-227a. Such report shall occur within fifteen (15) days of such event.

6. Respondent shall notify the Department of any change in his home and/or business address within fifteen (15) days of such change.
7. In the event respondent is not employed as an asbestos inspector/management planner for a period of thirty days or longer, or is employed as an asbestos inspector/management planner less than twenty (20) hours per week, or is employed outside the State of Connecticut, respondent shall notify the Department in writing. Such periods of time shall not be counted in reducing the probationary period covered by this Consent Order.
8. Any deviation from the terms of this Reinstatement Consent Order without prior written approval of the Department shall constitute a violation. A violation of any term(s) of this Reinstatement Consent Order shall result in the right of the Department in its discretion to immediately deem respondent's asbestos consultant inspector/management planner certification rescinded. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to take action at a later time. The Department shall not be required to grant future extensions of time or grace periods. Notice of the rescission of the certification shall be sent by the Department to respondent's address of record. Respondent waives any right to a hearing on the issue of violation of the terms of this Reinstatement Consent Order.
9. That correspondence, and reports required by the terms of this Reinstatement Consent Order, are to be addressed to:

Ronald Skomro
Division of Environmental Health
410 Capitol Ave, MS# 51AIR
P.O. Box 340308
Hartford, CT 06134-0308

10. Legal notice shall be sufficient if sent to respondent's last known address of record as reported to the Environmental Practitioner Licensure Unit of the Division of Environmental Health.
11. Respondent understands that this Reinstatement Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Connecticut Department of Public

Health in which (1) his compliance with this Reinstatement Consent Order is at issue, or (2) his compliance with §20-436 of the Connecticut General Statutes as amended, is at issue.

12. This Reinstatement Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Reinstatement Consent Order is not subject to appeal or review under the provisions of Chapters 54 and 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any other rights that he may have under the laws of the State of Connecticut or of the United States.
13. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
14. This Reinstatement Consent Order is effective when accepted and approved by a duly appointed agent of the Department.
15. Respondent understands he has the right to consult with an attorney prior to signing this Reinstatement Consent Order.
16. Respondent understands this Reinstatement Consent Order is a matter of public record.

I, Scott D. Arena, have read the Reinstatement Consent Order, and I agree to the terms and allegations set forth therein. I further declare the execution of this Reinstatement Consent Order to be my free act and deed.



Scott D. Arena

Subscribed and sworn to before me this 11th day of March, 2004.

Debra A. Scully

Notary Public or person authorized by law to
administer an oath or affirmation

7-31-08

My commission expires

The above Reinstatement Consent Order having been presented to the duly appointed agent of the
Commissioner of the Department of Public Health on the 11th day of March, 2004, it is
hereby ordered and accepted.

Ellen Blaschinski

Ellen Blaschinski, Director
Division of Environmental Health

DEBRA A. SCULLY
NOTARY PUBLIC
MY COMMISSION EXPIRES 7/31/08